

### **IC 14-26-3**

#### **Chapter 3. Lakes, Rivers, and Streams Preservation Suits; Parties**

##### **IC 14-26-3-1**

###### **"Lake" defined**

Sec. 1. As used in this chapter, "lake" includes both meandered and unmeandered lakes.

*As added by P.L.1-1995, SEC.19.*

##### **IC 14-26-3-2**

###### **"River" defined**

Sec. 2. As used in this chapter, "river" includes both navigable and nonnavigable rivers and streams.

*As added by P.L.1-1995, SEC.19.*

##### **IC 14-26-3-3**

###### **Department becoming party to or prosecuting action to preserve lakes, rivers, or streams**

Sec. 3. The department may do the following:

(1) Become a party, either plaintiff or defendant, to any cause or legal action:

(A) that is pending in any court in Indiana; or

(B) that is brought or commenced in any court in Indiana; affecting the preservation or maintenance of the lakes, rivers, and streams in Indiana.

(2) Commence and prosecute any cause in any court in Indiana for the purpose of preserving and maintaining the waters of the state.

*As added by P.L.1-1995, SEC.19.*

##### **IC 14-26-3-4**

###### **Courts recognizing department's right to become party**

Sec. 4. A court acting under Indiana law shall recognize the right of the department to become a party to any action involving the preservation and maintenance of lakes, rivers, and streams for the purposes set out in this chapter.

*As added by P.L.1-1995, SEC.19.*

##### **IC 14-26-3-5**

###### **Department becoming party to drainage proceeding**

Sec. 5. For the purposes and in the manner provided in this chapter, the department may become a party to any drainage proceeding in any court acting under Indiana law, to prosecute or defend any cause that in the opinion of the officers of the department will injuriously affect the water levels of a lake, river, or stream in Indiana.

*As added by P.L.1-1995, SEC.19.*

##### **IC 14-26-3-6**

###### **Department as party in interest**

Sec. 6. In the interest of public health and convenience, the department is a party in interest in the matters set out in this chapter. Nonbenefit or the nonownership of land affected by a cause may not be pleaded in any court acting under Indiana law as a bar to the right of the department to appear, commence, prosecute, or defend in the cause.  
*As added by P.L.1-1995, SEC.19.*